

HV5091

C3

545

338

NATIONAL LIBRARY
CANADA
BIBLIOTHÈQUE NATIONALE

Mac Millan March - 1889.

PROHIBITIONISM IN CANADA AND THE UNITED STATES.

It is evident that English politics are beginning to be disturbed, like those of the United States and Canada, by the formation of a Prohibitionist party. The party usually calls itself that of Temperance. But though we may wish to be courteous, we cannot concede a name which not only begs the question at issue, but is a standing libel on those who take their glass of wine or beer without being in any rational sense of the term intemperate. Temperance is one thing, total abstinence is another, and coercion, at which these reformers aim, is a third. As temperance implies self-restraint, there can be no temperance, in the proper sense of the term, where there is coercion.

The "Temperance" people on this side of the water are not much inclined, so far as I have come into contact with them, to listen to anything so rationalistic as the lessons of experience. They tell you that with them it is a matter not of experience but of principle; that their cause is the cause of Heaven; yours, if you are an opponent, that of the darker power; and they intimate, with more or less of gentleness and courtesy, what, if you persist in getting in Heaven's way, will be your deserved and inevitable doom. To those however who in practical matters regard the dictates of experience as principles, and who wish before committing themselves to a particular kind of legislation to know whether it is likely to do good or harm, the result of Canadian or American experiment may not be uninteresting.

In 1878 the Canadian Parliament passed the Canada Temperance Act, more commonly called the Scott Act. The purport of this Act may be described as county and city option. It enables any county or city adopting it by a simple majority of the electors to

prohibit the sale of any liquor within the district for local consumption under penalty of a fine of fifty dollars for the first offence, a hundred for the second, and two months' imprisonment for the third. When adopted, the Act remains in force for three years, after which, upon a petition signed by one fourth of the electors, it may again be submitted to the vote, and if there is a majority against it, repealed.

In this Province of Ontario there are forty-two counties and eleven cities. Twenty-eight counties and two cities adopted the Act. The other day ten counties (nine of them at once) repealed it, and in eighteen counties and two cities petitions for repeal either have been lodged or are understood to be in preparation. In Ontario the Scott Act is generally regarded as dead, and the advocates of prohibitive legislation are turning their minds to other measures. This is a genuine verdict of the people. The liquor-trade had exhausted its powers of opposition in the early part of the contest; in fact it hardly appeared in the field without doing mischief to its own cause.

The general result where the Act has been tried appears to have been the substitution of an unlicensed and unregulated for a licensed and regulated trade. The demand for drink remained the same, but it was supplied in illicit ways. It was found by those who were engaged in the campaign against the Scott Act that the lowest class of liquor-dealers were far from zealous in their opposition to prohibitive legislation. They foresaw that the result to them would be simply sale of liquor without the license fee. Drunkenness, instead of being diminished, appears to have increased. A memorial signed by three hundred citizens of Woodstock, including nearly all the principal men

of business
nobody
trade, sa
town has
creased
wholly pu
which wa
mon con
discourag
substitut
sure and
the open
which di
law and
continue
"From
leading
"and t
tion pri
am sati
illicit t
that the
is great
that th
drinking
the con
county
found t
Before
were b
was so
Act th
and o
hotels
lowest
men c
and
clarat
failed
the t
able
hawl
that
the
spirit
cide
law
mon
und
inst
the
and
bec
of

of business and professional men, but nobody connected with the liquor-trade, says: "The Scott Act in this town has not diminished but has increased drunkenness; it has almost wholly prevented the use of lager beer, which was becoming an article of common consumption; it has operated to discourage the use of light beverages, substituting therefore in a large measure ardent spirits, and it has led to the opening of many drinking-places which did not exist under the license law and to the sale of liquor being continued till hours after midnight."

"From my own observation," says a leading physician of the same place, "and the most trustworthy information privately and publicly received, I am satisfied that the most extensive illicit traffic prevails in Woodstock, that the abuse of intoxicating liquors is greatly on the increase here, and that there is a lamentable increase of drinking among the younger men of the community." At Milton, in the county of Halton, the effects were found to be the same as at Woodstock. Before the adoption of the Act there were but five places in which liquor was sold; after the adoption of the Act there were no fewer than sixteen, and owing to the persecution of the hotels the traffic was thrown into the lowest and worst hands. Forty-eight men of business, including the Mayor and Chief Constable, signed a declaration that the Act had signally failed to reduce intemperance; that the trade, instead of being in respectable hands, was in those of the bottle-hawkers and keepers of low dens; that the effect of the Act has been the substitution to a great extent of spirituous liquors for malt, wine, or cider as beverages; that drunkenness, lawlessness and perjury were much more prevalent than they had been under license; and that the Scott Act instead of removing temptation from the young had had the contrary effect, and cases of juvenile drunkenness had become shockingly frequent. Scores of petitions were sent to Parliament

from county councils or other municipal bodies declaring the failure of the Act.

Wine, beer, and cider may or may not be injurious, but at all events they are not so injurious as ardent spirits; they stimulate less to criminal violence, the evil against which, in dealing with this subject, society is most concerned to guard. A natural tendency of prohibition however, as the evidence cited seems to show, is to substitute ardent spirits, which, containing a great amount of alcohol in a small bulk, are more easily smuggled, for the lighter drinks of which the bulk is greater. It is well that the attention of philanthropy, of practical philanthropy at least, should be specially called to this point. Not only does Prohibition appear practically to encourage the use of ardent spirits; the spirits which it encourages, being sold by the lowest dealers, are apt to be of the most pernicious kind: sometimes they are literally poison.

It is true that where Prohibition prevails the liquor-shop no longer invites the passer-by with open doors. But the illicit liquor-seller is probably more active than the licensed publican in thrusting his temptation upon those who are most likely to yield to it, especially on the young. A clandestine drinker is sure to be a deep drinker. He is sure to drink, not with his meals, but in the specially pernicious form of drams. He is sure to drink in bad company. He is sure also to contract sneaking habits, and to lose respect for himself as well as respect for the law.

Witness after witness testifies to the prevalence of perjury in liquor-cases, and this evidence is supported by that of judges and magistrates in the United States and England. The people were morally dragooned by a powerful organization and strong ecclesiastical influence into voting for the Act. The pulpit of the Methodist Church, which is very powerful in Canada and has thoroughly identified itself with Prohibition, thundered in

favour of the measure, and the Methodist farmers obeyed. But no pulpit-thunder will make the people in their hearts believe that to drink or sell a glass of beer is really criminal or support the execution of the law as if they did. Archdeacon Farrar himself, in his controversy with Baron Bramwell, repudiates as uncharitable and absurd the doctrine that there is anything morally wrong in the use of fermented liquor. He says that he has never preached abstinence as a matter of duty, even to confirmation classes or to national schools. He admits that moderate drinking is a perfectly lawful enjoyment, and that multitudes of men indulge in it who are wiser and better than he is himself. Agreeing at heart with this, the people, though they have voted as their preacher bade them, cannot bring themselves to take part in ruining a neighbour, sending him to gaol, and perhaps making his wife and children destitute, for that which in their conscience they do not regard as criminal. They refuse to back the ministers of the law. When forced to give evidence they prevaricate and too often commit what is morally perjury. The "Bruce Herald" declared that the Act in that county, though nominally in force, was "dead as Julius Cæsar", adding that the idea that the law would be sustained by reverence for authority soon vanished, and that prosecutions failed from the unwillingness of witnesses to give evidence against the hotel-keepers who had public sympathy on their side, the people feeling that the Act sought to destroy a business and to confiscate property erected under the sanction of previous law. Have we not in the history of the poaching bred by tyrannical game-laws and the smuggling bred by excessive customs-duties, abundant proof of the danger of putting the moral sense of the people at variance with the law? To break the law is always wrong, but it is also wrong to make laws which, as they are unsupported by

any moral obligation, the people are sure to break.

The testimony borne by municipal councils in all parts of Ontario to the fact that there has been an increase of drunkenness under the Act is not invalidated by the decrease, in some counties, of the number of arrests for that offence. Under the prohibitive system the liquor-seller, his trade being illicit, is afraid to call, as the licensed tavern-keeper does, for the intervention of the police. He does his best to conceal the drunkard whose detection would be the betrayal of his own breach of the law.

The Prohibitionists themselves hardly show confidence in their own moral code. They never propose to punish a man for drinking a glass of ale, though the drinking and the selling being parts of the same transaction, both must be criminal or neither. Nor do they, with us at least, venture to propose that the manufacture of liquor shall be made a crime. They confine themselves to harassing the retail trade, as though, so long as the drink was made, it could fail to find its way through some channel to thirsty lips.

In the Province of Quebec the Act has been adopted only by six counties, of which two have now repealed it. In the French province this question, like all other public questions, is apt to become one of race. In the maritime provinces the Act has been extensively adopted, and up to this time there has been no repeal. But the organized public opposition, independent of the liquor-interest which in Ontario arrested the progress of the Act and has now turned back the tide, has hitherto been wanting in the maritime provinces. The people of those provinces, moreover, to judge from their behaviour in the political sphere, are peculiarly submissive to pressure of the sort which the Prohibitionist party and the clergy who support it bring to bear. But the Act, though not repealed, is described as practically a dead letter by provincial journals

which call account.

I was in North-West imposed by under press is Prohibition giving per Lieutenant on what a sible aut disastrous get liquor the only smuggling and deter liquor is quality, indemnity contraband racter a will in more ca the ques the sys contraband lighter are easi

Besides perjury with il or po munit spies been necess Dicke in his their pris which were Stat crim for nes to to

per is tin th w

which call for its repeal on that account.

I was myself the other day in our North-West Territories, where the law imposed by the central Government under pressure of the temperance vote is Prohibition qualified by a power of giving permits, which is vested in the Lieutenant-Governor, I was assured, on what appeared to be the best possible authority, that the law was a disastrous failure, that anybody could get liquor who wanted it, and that the only fruits of the system were smuggling, perjury, secret drinking, and deterioration of the liquor. The liquor is sure to be of the worst quality, because the dealer will thus indemnify himself for the risks of a contraband trade, while his own character and that of his drinking-place will inevitably be low. I would once more call attention to this feature of the question, and to the tendency of the system which makes the trade contraband to the displacement of the lighter drinks by ardent spirits which are easily smuggled.

Besides contempt of the law and perjury the country has been filled with ill blood. Nothing is more odious or poisons the heart of the community more than the employment of spies and informers, to which it has been necessary and will always be necessary for Prohibitionism to resort. Dickens holds up the mirror to nature in his description of the Claypoles and their trade. Men who have been imprisoned and ruined for plying a trade which, as only the other day they were holding licenses for it from the State, they can hardly feel to be criminal, are naturally not grateful for such treatment. Their vindictiveness and hatred of the spies has led to several outrages and once or twice to the use of dynamite.

To force the sentiment of the people into accordance with the law is the more difficult, since all the time their Church is holding up for their imitation a model of character which is not "temperate" in the Pro-

hibitionist sense of that term. In commenting on the miracle at Cana, Archdeacon Farrar contrasts the "genial innocence of Christ's system" with the "crushing asceticism of rival systems". By way of reconciling this discrepancy desperate efforts are made to uphold the astonishing theory that the *vinos* of the Gospel was not fermented wine but syrup. The ruler of the feast at Cana, it seems, expressed his surprise that the best syrup had not been produced till the guests had well drunk: the accusers of Christ in calling Him a winebibber meant only that He was a syrup-drinker: it was on syrup that the Corinthians got drunk at the celebration of the Lord's Supper: Paul advised his friend to take a little syrup for his stomach's sake; and the same Apostle enjoined the Church in electing deacons not to choose those who were given to excess in syrup! To such paltering with what every one educated enough to be a clergyman must know to be the truth, we rather prefer the preacher who said boldly that if Christ were again to come on earth and persisted in celebrating the Eucharist with wine He would have to be excluded from His own Church. To drag the Gospel into this discussion on the Prohibitionist side is hopeless. There is no more of fanaticism than there is of formalism in that volume. When St. Paul bids us not drink wine if thereby our brother is made to stumble, he couples eating meat with drinking wine, showing that in his opinion both in themselves are innocent. The Gospel bids us have regard to the weakness of our brother; but it does not bid our brother be weak or us to countenance his weakness by unjust and unwise legislation.

The effect even of less violent and hazardous measures of coercion in Canada appears to have been pretty much the same. The supporters of the Scott Act have not ventured to put it to the vote in Toronto, but finding themselves powerful in the City Council they proceeded to wage a

war of extermination on the taverns. At one stroke they cut off seventy-five licenses. They were warned that this arbitrary measure, while it might ruin the tavern-keepers, would not diminish the demand for drink, that while there was a demand there would be a supply, and that the tavern-keepers whose licenses were withdrawn would not starve if they could help it, but would ply an illicit trade. The result was a large increase of the number of cases of drunkenness before the magistrate and an unusually drunken Christmas. Nor could the Prohibitionists find any way of parrying the natural inference better than by an insinuation that drinking had been promoted by the powers of darkness for the special purpose of discrediting their policy.

It may be argued with some force that when the Scott Act was adopted by some counties and not by others the moral perceptions of the people in the counties that did adopt it would be disturbed by the vicinage of a different code. But even if the Prohibitionist code were imposed on a whole nation the difficulty though diminished would not be removed. To make an Eleventh Commandment you must obtain the concurrence of the civilized world, intercourse and communication between all the parts of which are now active for a sectional morality. Put all Canada under Prohibition, and every Canadian who visits a foreign country will be apt to come back a heretic and to propagate his heresy on his return. Literature moreover from Homer to Dickens is full of the other view.

The results of coercive legislation in the United States, wherever the experiment has been tried seem to tally with those of coercive legislation in Canada. Maine is the "banner-state" of Prohibition. It has been trying the system for thirty years, more than time enough to kill the liquor-traffic, if the liquor-traffic was to be killed. Yet of Maine Gail Hamilton, who must know it well, said in the "North American Review": "The actual result

is that liquor is sold to all who wish to obtain it in nearly every town in the State. Enforcement of the law seems to have little effect. For the past six years the city of Bangor has practically enjoyed free rum. In more than one hundred places liquor is sold and no attempt has been made to enforce the law. In Bath, Lewiston, Augusta, and other cities no real difficulty is experienced in procuring liquor. In Portland, enforcement of the law has been faithfully attempted yet the liquor-traffic flourishes for all classes from the highest to the lowest. . . . In a journey last summer for hundreds of miles through the cities and through the scattered villages and hamlets of Maine the almost universal testimony was 'you get liquor enough for bad purposes in bad places, but you cannot get it for good purposes in good places'. "What works against Prohibition", Gail Hamilton adds, "is that in the opinion of many of the most earnest total-abstinence men, the original Maine Law State after thirty years of Prohibition is no more a temperance state than it was before Prohibition was introduced". It appears that upwards of five hundred people in the state pay United States retail liquor-tax, though Archdeacon Farrar was informed that the trade had been completely driven out of sight. The Maine Prison Report for 1884 says "intoxication is on the increase; some new legislation must be made if it is to be lessened. In many of our counties Prohibition does not seem to affect or prevent it". In the city of Portland (pop. 34,000) in 1874 the arrests for drunkenness were 2,318. But drunkenness is not confined to the cities. Every one of the sixteen counties furnishes its quota. The number of committals for drunkenness for one year was 1,316 for a population of 648,000, while in Canada, an area at that time not under the Scott Act, with a population of 661,000 and a town population as large as that in Maine, showed only 593 committals, less than half the number of those in

the mo
ral Ne
politic
cause,
drinki
of Mai
Septem
tion o
sponde
affairs
stood
in his
visitor
world
reelin
than i
Maine
averag
bad at
the h
peace
obtain
of the
fancy
and s
places
swag
in the
ing d
can b
the "
as us
the g
hibit
incre
popu
statio
incre
comm
it wa
cities
other
V
hibit
Here
tivel
the
ture
pera
enac
pena
pow
war
sult

sold to all who will
nearly every town
enforcement of the la
little effect. For the
city of Bangor has
free rum. In mor
places liquor is sol
has been made t
In Bath, Lewiston
er cities no rea
enced in procurin
and, enforcement of
ithfully attempted.
ic flourishes for al
thest to the lowest.
last summer for
through the cities
attered villages and
e almost universal
get liquor enough
ad places, but you
purposes in good
orks against Pro-
hilton adds, "is
of many of the
stinence men, the
state after thirty
is no more a
n it was before
duced". It ap-
of five hundred
y United States
gh Archdeacon
that the trade
driven out of
on Report for
n is on the in-
ation must be
ed. In many
tion does not
it". In the
(1874) in 1874
ss were 2,318.
nined to the
the sixteen
quota. The
drunkenness
a population
da, an area
e Scott Act,
000 and a
as that in
committals,
of those in

the model state of Prohibition. General Neal Dow himself, upbraiding his political party for its slackness in the cause, complains of the number of low drinking places which infest the cities of Maine. The New York "Sun" of September 9th last, after investigation carried on through its correspondent, said, "The actual state of affairs in Maine is perfectly well understood by every Maine man with eyes in his head, and by every observant visitor to Maine. In no part of the world is the spectacle of drunken men reeling along the streets more common than in the cities and larger towns of Maine. Nowhere in the world is the average quality of the liquor sold so bad and consequently so dangerous to the health of the consumer and the peace of the public. The facilities for obtaining liquor vary in different parts of the state from the cities where fancy-drinks are openly compounded and sold over rosewood bars to the places where it is dispensed by the swag from flat bottles carried around in the breeches pockets of perambulating dealers. But liquor, good or bad, can be bought anywhere". Perjury, the "Sun" correspondent also states, as usual, is rife. Nor does Maine fulfil the golden promises held out by Prohibition of immunity from crime and increase of prosperity. Though the population of the state has been stationary, the statistics of crime have increased. In 1873 the number of committals to gaol was 1,548; in 1884 it was 3,672. The pauper rate in the cities is larger than in those of any other state.

Vermont has also been trying Prohibition for more than thirty years. Here the city population is comparatively small, so that the system has the fairest chance; while the legislature, under the pressure of the "Temperance Vote", has piled one repressive enactment upon another, heaped up penalties, and at last given the police power to enter any house without a warrant in search of liquor. The result is reported by Mr. Edward John-

son in the "Popular Science Monthly" for May, 1884. He states that "for all practical purposes the law is an absolute dead letter". There were at the time of his writing in the state four hundred and forty-six places where liquor was sold, and though the population is well-nigh stationary there was a marked increase in their number. "A large proportion of the dram-shops are on the principal streets, and there is no concealment of the illegal traffic. Spasmodic attempts to enforce the law are made in the larger places, but are utterly futile. Of enforcing the law, as the laws against burglary and larceny are enforced, nobody dreams for a moment". "Such", says Mr. Johnson, "is the unsatisfactory result of Vermont's thirty years' experience of the Prohibitory liquor-laws". "One might", he adds, "go still further and speak of the perjury and subornation of perjury for which the law is in a sense responsible, of the disregard and contempt of all law which the operation of this law tends to foster and encourage, and of cognate matters which will occur to the reflective reader; but perhaps enough has been said in showing the failure of the law to accomplish the object for which it was enacted". No attempt, so far as we know, has been made to controvert Mr. Johnson's statements, or to refute the conclusion which he draws from them, and which is that men cannot be dragooned into virtue. That is not by State interference with practices not in themselves criminal, but only by State interference with positive crime.

Massachusetts also for a series of years tried Prohibition. The result is embodied in the report of a joint committee of both Houses of the Legislature (1867), which ought to be in the hands of all those who wish to be guided by experience in this matter. That report, founded on the best evidence, states that the law, if by its operation it diminishes the number of open places of drinking, does so only to multiply the secret places, that more

liquor and worse liquor was drunk, that drunkenness had increased almost in direct ratio to the closing of public places of sale, and that there was more of it in Boston than there had been at any previous time in the history of the city. "The mere fact", says the Report in words to which we would call special attention, "the mere fact that the law seeks to prevent them from drinking rouses the determination to drink in many. The fact that the place is secret takes away the restraint which, in more public and respectable places, would keep them within temperate bounds. The fact that the business is contraband and liable to interruption and that its gains are hazardous, tends to drive honest men from it and to leave it under the control of dishonest men who will not scruple to poison the community with vile adulteration". In conclusion the Report submits that so long as there is a demand for liquor there will be a supply, licensed or illicit, and recommends regulated freedom as the best policy.

In Iowa again Prohibition has been on its trial. A correspondent of "Harpers' Weekly", recommended as thoroughly trustworthy by a journal itself very careful of its statements, reported that Prohibition in the cities of Iowa meant free liquor. A correspondent of the New York "Nation" testified to much the same effect, adding that the local organ of Prohibition itself admitted the failure. Dr. Dio Lewis, the Cato of dietists, said that he had touched at several of the large cities on a tour to the Rocky Mountains, and among other things had inquired into the practical benefits reaped from Prohibition. In places where he had been assured that drink could not be had for love or money he had seen drunkards reeling in the streets. In Iowa city, where Prohibition was supposed to be enforced, he saw from seventy-five to a hundred kegs of beer delivered on trucks from a brewery. His practical conclusion was that Prohibition was a wild theory; "that as a preventative

it had not met the claims of its supporters, and as an aid to the cause of temperance was a failure". In Kansas the state of Governor St. John, the chief of Prohibitionism, where the most stringent Prohibition had been enacted, the result, according to Gardner, was that the drug-store was little more than rum-shops, and that their number was astonishing. In one town of four thousand people fifteen of them were counted on the main street.

It seems that experience has always pointed the same way. Under James I. and Charles I. a series of Acts was passed to suppress tippling, the effect of which evidently was only to suppress the respectability of the tavern-keepers who at last were found to be unable to pay fines, so that Parliament had to resort to flogging as a penalty. The failure is the more significant because the Executive was so strong, and was sure to be backed in this case by the Puritan Parliament. The Gin Act of George II. was found to have made bad worse, and had to be repealed. Even in Puritan Connecticut, where the pressure of ecclesiastical authority was tremendous, the historian tells us that "rules against excess in drinking and in apparel were attempted with the usual want of success." Heaven appears in no place or time to have prospered its own cause.

The difficulty of even enforcing vaccination in places where it is widely resisted, shows how arduous a task is coercive legislation when it is not backed by popular conviction, which, if it is in favour of the principle, will produce the effect without coercive law.

On the 19th of last November, a mass meeting of the friends of Temperance, connected with the Church Temperance Society, was held at Chickering Hall, at New York. The hall was full to overflowing; speeches were made by Mr. Warner Miller, Rev. Dr. Greer, the Bishop of Delaware, Mr. Seth Low, and Father

the claims of its supporters. The sense of the meeting in aid to the cause was evidently in favour of high license, a failure". In Kansas is practically the best safeguard against Governor St. John, intemperance. Dr. Greer dwelt on prohibitionism, where the failure of Prohibition in Rhode Island, declaring that "the state was not less wicked as a Prohibition state than as a low-license state; that the tactics to which reputable citizens resorted to evade the law created a spirit of lawlessness; and that, with regard to the City of Providence, numerous clubs had sprung up there, where the citizens could drink their fill and be sheltered from publicity or arrest."

By voluntary associations, such as Teetotalism and the Bands of Hope, and still more by the general advance of morality, of intelligence, and above all of medical science, great improvement has been made in Canada as it has elsewhere. Old inhabitants tell you that forty or fifty years ago drunkenness was very common among our farmers, and that many of them regularly went home from market the worse for liquor. Now the Canadian farmers are a very sober race. There is a certain amount of drunkenness as well as of other vices in our cities, but a large proportion of the cases are those of immigrants and, to put the matter delicately, must be set down to the account of English tyranny in Ireland, which causes the sons of Erin to occupy so distinguished a place in the criminal statistics of this continent. I should say, judging from outward appearances, that Toronto compared with other cities in which I have lived is sober as well as orderly. It has indeed been proclaimed from the Prohibition platform that there are seven, or even ten thousand deaths from drinking in this country every year. This would be from a third to one half of the total number of male adult deaths. But about the time when this fearful announcement was made, the Mortuary Statistics gave the total number of deaths from alcoholic causes in eight of our principal cities and towns

as two. In England likewise the evil habit of drinking has been greatly reduced without any restrictive laws or restraint of any kind, mainly by the increasing influence of medical science, and in connection with the general progress of physiological reform. It should be observed that voluntary effort will be weakened by coercive legislation. Prohibition if universally enforced would break up teetotal fraternities and Bands of Hope; and unless it was itself successful in extirpating the desire for drink, that desire might any day break out again on a large scale, and find no organization on foot to resist its sway.

Before the British Parliament consents to extreme legislation let it at all events appoint a commission of inquiry to report to it on the results of prohibitory legislation in Canada and the United States. The commissioners, if I mistake not, will find that impartial opinion on this continent pronounces Prohibition a failure, and inclines decidedly in favour of the plan of high licences with stringent regulation. That stringent and exceptional legislation is required for the liquor-traffic nobody doubts. Nor do the respectable members of the trade deprecate it: for nothing can be less conducive to their interest than drunkenness and disorder on their premises. It is quite possible that a stricter code may be necessary in England than is necessary here. We have nothing, thank Heaven, on this side of the water like the gin-palaces of London.

A license fee as high as a thousand dollars (200*l.*) is being proposed, and the prospect of revenue is tempting to the municipalities. But if the system is overstrained its effect will practically be the same as Prohibition; it will call into existence an illicit trade, which of all results is the worst. To diminish the demand for liquors by moral agencies has been shown to be practicable both in Canada and among the upper classes in England: to diminish the supply without diminishing

even enforcing where it is how arduous legislation when popular conviction in favour of the effect with-

November, a
ands of Tem-
the Church
s held at
York. The
g; speeches
ner Miller,
p of Dela-
nd Father

the demand seems to be impracticable, resort to what expedients you will.

It is as needless to dilate on the evils of intemperance as it is to dilate on the evils of small-pox. The only question is whether prohibitive legislation cures or rather aggravates and propagates the disease. But the advocates of coercion have surely overstated the connection between drinking and crime. From their language it might be supposed that if we could only stamp out drinking, crime of all kinds would cease, our gaols would stand empty, and we should be at liberty to disband the police. If it were so, no measures, provided they were effective, could be too strong. But can we believe that cruelty, lust, covetousness, vindictiveness, malice, and the other evil tendencies of human nature in which crime has its source, are all the offspring of drink, and that with drink they would depart? Do they not manifest themselves, in germ at least, in children whose lips have never touched the glass? Among the poorer classes seasons of distress are seasons of crime, though the power of buying liquor is diminished. Is there no crime in Mohammedan countries which keep the prophet's law? Is there none in Spain, the people of which are remarkable for their temperance? It is natural that the criminal classes should also be given to drink, as they are to gross sensuality of other kinds; but it does not follow that their addiction to drink is the sole or even the principal source of their crime. Prisoners, too, are apt to plead drink in extenuation of their offences, especially since they know that philanthropy will hail their plea. A remarkable article on diet appeared some time ago from the pen of Sir W. Thompson, in which he avowed his belief that not only the bodily but the moral evil arising from intemperance in eating was as great as that arising from intemperance in drink. Certainly I should not look for more malevolence in a drinker of any but the worst whiskey or rum

than in one who, like too many peo-
on this continent, overeat himself day
with fat and ill-boiled pork or b-
steak cooked in the deadly frying-pot
as well as with half-baked bread
greasy pie, washing down the wh-
with copious draughts of the m-
abominable green tea. The Ma-
Prison Report for 1884 says: "ho
temperance is not a cause of crime
it is a crime more against society
against the family than against
state". The words are a little
biguous, but they certainly do
mean that intemperance is the s-
source of crime.

Whether we or any of us ou-
entirely to renounce alcohol it is
science to determine. If science
nounces that we ought, there can
little doubt that the growing int-
ligence of humanity will gradual-
conform to the decision, as it
already conforming to the decision
science by other changes of habi-
But one can hardly help think-
that even with regard to the physi-
effects of alcohol there has, at
events, been a good deal of exagger-
tion on the "Temperance" platfor-
The sort of spirits to which Prohibi-
tion drives people, as we have seen
is poison indeed. But surely it
only in a highly metaphorical sen-
that the name of poison can be appli-
to liquors which a man has drunk f-
eighty, ninety, even a hundred year-
In Manitoba there are two bodies
Mennonites, of which one drink
spirits or fermented liquors while
other abstains; and a person who
a great deal to do with the Mennonites
and whose evidence is certainly to
trusted, tells me that the section whi-
drinks is rather superior in progres-
sive energy to the section of abstainers
No part of our Canadian population
is more industrious or worthier than
the Germans of Waterloo County
Ontario, who, like all Germans, drink
beer. That alcohol does not nourish
supposing it to be true, is not much to
the purpose. If alcohol does not nourish
it exhilarates. Tea, which some prohi-

who, like too many peo-
 tent, overeat himself d-
 ill-boiled pork or b-
 in the deadly frying-
 th half-baked bread-
 rashing down the wh-
 draughts of the m-
 green tea. The Mast-
 t for 1884 says: "ho
 not a cause of crim-
 more against society
 family than against
 words are a little
 they certainly do
 temperance is the s-

ne.
 re or any of us ou-
 nounce alcohol it is
 ermine. If science
 we ought, there can
 hat the growing int-
 humanity will gradual-
 the decision, as it
 ming to the decision
 her changes of hab-
 hardly help think-
 regard to the phys-
 ohol there has, at
 good deal of exagger-
 Temperance" plat-
 irits to which Prohib-
 ple, as we have see-
 ed. But surely it
 ly metaphorical sen-
 f poison can be appl-
 a man has drunk f-
 even a hundred year-
 ere are two bodies
 which one drink-
 ated liquors while th-
 and a person who ha-
 o with the Mennonite-
 nce is certainly to b-
 that the section whic-
 superior in progres-
 e section of abstainers
 Canadian population
 ous or worthier than
 Waterloo County
 e all Germans, drink-
 ol does not nourish
 true, is not much to
 ohol does not nourish
 a, which some prohib-

tionists drink in floods, and on which
 ey spend as much money as others
 in beer, does not nourish, but it
 othes. Possibly the exhilaration pro-
 uced by wine may sometimes have
 en a necessary antidote to melan-
 choly, which would otherwise prey
 ally on the mind. The Psalmist,
 ho praised wine as making glad the
 eart of man, though he lived before
 ience, may have spoken with the
 oice of Nature. But, I repeat, let
 edical science decide: to her, not to
 he religious or political platform, the
 uestion belongs.

The Temperance platform has also
 eyond doubt grossly exaggerated the
 ffect of moderate drinking, in tempting
 nward to excess. To maintain that a
 nan who is in the habit of taking
 dailly a glass of wine or beer must
 inevitably contract a craving which
 will lead to his becoming a drunkard,
 s necessary no doubt for the justifica-
 tion of those who advocate indis-
 criminate repression; but nothing can
 be more flagrantly at variance with
 obvious facts. An ordinary English
 gentleman takes a glass of wine daily
 at dinner without feeling any more
 tempted to swallow the whole contents
 low the whole contents of the mus-
 tard-pot from which he takes a
 spoonful with his beef. A man
 may play a game of cribbage with
 his wife without becoming a gambler.
 If Johnson found abstinence easier
 than temperance, it was because he
 had once been intemperate. He knew
 that his own case was peculiar. To
 most men, as they require physical
 enjoyment of some kind, temperance is
 easier than abstinence. The Spaniards
 regularly drink wine, yet Croker in
 his "Travels in Spain," says, "The
 habitual temperance of these people is
 really astonishing; I never saw a
 Spaniard drink a second glass of wine."
 Another English tourist says: "In all
 our wanderings through town and
 country, along the highways and bye-
 ways of the land from Bayonne to Gib-
 raltar, we never saw more than four

men who were the least intoxicated."
 Mr. Bryant, the American author, has
 confirmed this account. I heard a
 clerical advocate of our Scott Act, say
 that he would no more think of putting
 liquor within reach of the people, than
 of putting a knife within reach of a
 baby. Supposing a glass of ale to be
 a knife, the reverend gentleman's
 fellow-citizens are not babies. Among
 the extreme advocates of coercion are,
 I believe, men who have themselves
 been given to drink, and who cannot
 understand the existence of self-con-
 trol.

The taste for fermented liquors, if
 not congenital, seems to be immemorial
 and almost universal. Its traces ap-
 pear in all the mythologies, Hindoo,
 Hellenic, Roman, and Scandinavian.
 Probably the use of such liquors is
 coeval with cookery, which also has
 been the source of much evil as well
 as of much pleasure to mankind. It
 is very likely that a great change in
 human diet, as well as in human be-
 liefs and institutions is coming; but
 it is not likely that this change will
 come suddenly, or that diet, being
 complex, will undergo a revolution in
 one of its elements without a cor-
 responding revolution in the rest.
 Vegetarianism has many advocates,
 and there are symptoms of gradual
 progress in that direction since the
 days in which a Homeric hero de-
 voured a whole joint of meat and the
 bard sang of the work of the shambles
 with as much gusto as he sang of the
 harvest and the vintage. It is certain
 that most people eat too much meat
 and are the worse for it, though it has
 not yet been proposed on that account
 to shut up the butcher's shops and
 send the butchers to gaol. Fermented
 drinks may be discarded and cookery
 with them: a refined and intellectual
 world may be content to sustain its
 grosser part with bread and water
 from the spring; and our Christmas
 cheer may be remembered only as the
 habit of primeval savages with wonder
 and disgust. But in questions of diet,
 as I have already said, it is for medi-

cal science, not for the sentiment of the platform or for Methodist enthusiasm, to decide.

We have seen how in Vermont, Prohibitionism, exasperated by its inevitable failure, has heaped up penal enactments, and at last invaded the most sacred liberties of the citizen and the sanctuary of his home. It is the tendency of all tyranny, whether it be that of a sultan, a crowd, a sect, or a party of zealots, when it finds itself baffled, to pile on fresh severities instead of reconsidering the wisdom of its own policy. Prohibitive legislation in Canada has not failed to betray the same arbitrary spirit. There is a clause in the Scott Act (sec. 12) setting aside the common legal safeguards of innocence. It provides "that it shall not be necessary for the informer to depose to the fact of the sale as within his own personal or certain knowledge, but the magistrate, so soon as it appears to him that the circumstances in evidence sufficiently establish the infraction of the law, shall put the defendant on his defence, and in default of his rebuttal of such evidence shall convict him accordingly"—convict him, in short, and send him to prison on hearsay, if in the opinion of the magistrate, who may be a strong partisan, he fails to prove his innocence. There is a clause (122) requiring a man when interrogated respecting previous convictions to criminate himself, which seems intended for the very purpose of breeding mendacity. There is a clause (122) compelling husband and wife to give evidence against each other. When the wife has sent the husband to prison, what will the wedlock of that pair thenceforth be? Which of the two is the greater sin, to refuse to give evidence under the Scott Act, or to break the marriage vow which bids husband and wife to cherish and protect each other? There is no appeal on the merits from the arbitrary decision of the magistrate, and zealots have not been ashamed to demand in the plainest terms the ap-

pointment of partisans to the bench. It never occurs to them to consider whether intemperance itself is a worse vice than injustice.

The treatment of the hotel and tavern-keepers has also been utterly iniquitous. These men have been earning their bread by a trade which when they entered it, was not only licensed by the State, but deemed everybody perfectly reputable; and therefore when their trade is suddenly suppressed they are apparently entitled to the same compensation which another trade in the same circumstances would receive. But compensation is inconvenient and might fatally weight the measure. It is necessary, therefore, to put the tavern-keeper out of the pale of justice; and do this pulpit and platform vie with each other in kindling popular passions against him. He is represented not only as the agent of a traffic to which it is desirable to put an end, but as a criminal and the worst of criminals—as a poisoner and a murderer—"steeped to the elbow in the blood of civilization." Yet money made by the poison which he sells is accepted even by the most scrupulous of the Churches for its religious objects, while one Church at least, which has synodically declared for total Prohibition, counts many dealers in liquor among its members.

We do not want a selfish and isolated liberty. Milton himself did not want a selfish and isolated liberty; at least he deliberately sacrificed his eyesight rather than decline to serve the State. But after all this struggling against the paternal despotism of kings and popes, we do want a reasonable measure of freedom and self-development. We do want it to be understood, as the general rule of that,

All restraint

Except what wisdom lays on evil man
Is evil.

In case of extremity, such as war or plague, we are of course ready for strong measures, provided they are effectual. Not only war or plague

United States.

of partisans to the beer alone can deal with it, warrants occurs to them to consider the intervention of the State. Nobody temperance itself is a would desire to set arbitrary and pen- nance bounds to the common action of the community for the preservation of the whole. It might be necessary and therefore lawful to close the taverns of the nation, were the nation coming the hopeless slave of drunkenness, as it might be necessary and therefore lawful to close the race-courses if the nation were becoming the hopeless slave of turf-gambling. The compensation which a man in an ordinary way we submit to in the same circumstances, whether in the hands of kings or majorities, political power is a must held for definite purposes which do not include interference with your neighbour's diet or any of his personal habits any more than they include the limitation of his industry or the confiscation of his property. The Prohibitionist thinks that by doing a little injustice he can do a great deal of good, and so probably have thought all tyrants who were not absolutely insane.

If fanaticism in pursuit of the one cherished object tramples on justice and natural affection, how can it show any more regard for the claims of political duty? A citizen is manifestly bound in the exercise of his suffrage to consider all the qualifications of the candidate and all the interests of the State. But temperance-organisations in Canada have formally resolved to exclude, so far as they can, from all public offices, even from that of a school-trustee, any one who will not pledge himself to the support of their policy. There may be other issues before the country of the most vital importance, but they are all to be sacrificed to the one end of the sect. The man may be qualified in every re-

spect to be a legislator: he may even be a total abstainer; but if he does not believe in Prohibitory legislation, and refuses to submit his conscience to that in which he does not believe, he is to be excluded from public life, and the State is to be deprived of his services. On the other hand, the most transparently dishonest submission is accepted as a title to support. A fierce electoral contest is going on with forces evenly balanced, and everybody is in doubt about the result. Suddenly it is announced that one of the candidates has consented to take the Prohibition pledge. There is no concealment as to his motive; but he gets the Prohibitionist vote, and by its help rides in over the head of his more scrupulous rival, while eminent Christians and religious journals applaud a triumph gained over public morality by fraud and lying. It is needless to say that Prohibitionism becomes a marketable commodity among politicians, and furnishes the ladder by which knavery climbs to the mark of its ambition. It is now, perhaps, after Irish clanship, the most noxious of the sectional organisations, the number of which is always on the increase, and which are destroying the character of the citizen and rendering elective government impossible by treating the State as an oyster to be opened with the knife of their vote for their own particular end.

Once more then, and with increased emphasis, let me suggest that before the British Parliament commits itself to Prohibitive legislation it should send a Commission of Inquiry to the United States and Canada.

GOLDWIN SMITH.

TORONTO, January 25.

All restraint
wisdom lays on evil mar-

extremity, such as war
are of course ready for
res, provided they are
only war or plague